



The Commonwealth of Massachusetts

Executive Office of Environmental Affairs

100 Cambridge Street, Suite 900

Boston, MA 02114-2524

MITT ROMNEY
GOVERNOR

KERRY HEALEY
LIEUTENANT GOVERNOR

STEPHEN R. PRITCHARD
SECRETARY

Tel. (617) 626-1000
Fax. (617) 626-1181
<http://www.mass.gov/envir>

March 24, 2006

CERTIFICATE OF THE SECRETARY OF ENVIRONMENTAL AFFAIRS ON THE ENVIRONMENTAL NOTIFICATION FORM

| | |
|-------------------------|--|
| PROJECT NAME | : Retirement Village at Pleasant Valley Country Club |
| PROJECT MUNICIPALITY | : Sutton |
| PROJECT WATERSHED | : Blackstone |
| EOEA NUMBER | : 13729 |
| PROJECT PROPONENT | : Taurus New England Land Ventures, LLC |
| DATE NOTICED IN MONITOR | : February 8, 2006 |

Pursuant to the Massachusetts Environmental Policy Act (G. L. c. 30, ss. 61-62H) and Section 11.06 of the MEPA regulations (301 CMR 11.00), I hereby determine that this project **does not require** the preparation of an Environmental Impact Report (EIR).

The proposed project involves construction of 186 age-restricted residential units on a 76-acre project site. The project site contains two parcels of land separated by a roadway and some single-family homes. The project includes construction of 29 cottage units and two apartment buildings (62 units) on Parcel 1, which is a 60-acre parcel. Parcel 2 is 16 acres and is proposed for development of 20 cottage units with two apartment buildings (75 units). The project will result in approximately 11.5 acres of land alteration and a reduction of approximately 1 acre of impervious area (for a total of 6.2 acres of impervious area). The site was formerly paved and used as an occasional parking area for events at the Pleasant Valley Country Club. The project site includes several wetland resource areas including portions of three ponds and a perennial stream, Cold Spring Brook. The project as proposed will result in alteration of approximately 2,440 square feet (sf) of bordering vegetated wetlands (BVW), and will impact 40 linear feet of bank. The project involves new alteration of approximately 9,000 sf of Riverfront Area as well as activities within existing paved portions of Riverfront Area.

According to the Environmental Notification Form (ENF), the Wilkinsonville Water District (WWD), which serves the Town of Sutton, is unable to provide sufficient capacity to meet the project's water supply needs. The ENF proposes development of a privately-owned community public water supply, which may include two wells with a total withdrawal capacity of 44,200 gallons per day (gpd). The ENF also proposes additional wells, with a capacity of 16,000 gpd, to be used for irrigation.

The project is undergoing review pursuant to Section 11.03(1)(b)(2) of the MEPA regulations because it involves creation of five or more acres of impervious area and Section 11.03(5)(b)(3)(c) because it involves construction of ½ mile or more of new sewer mains. The proposed project will require a Sewer Connection/Extension Permit from the Department of Environmental Protection (DEP). The project also requires an Order of Conditions from the Sutton Conservation Commission (and on appeal only, a Superseding Order from the DEP) and a National Pollutant Discharge Elimination System (NPDES) Construction Activities Permit from the Environmental Protection Agency (EPA). The proponent is not seeking financial assistance from the Commonwealth. Therefore, MEPA jurisdiction applies to those aspects of the project within the subject matter of required state permits with the potential to cause damage to the environment. In this case, MEPA jurisdiction extends to land, wetlands, water quality, stormwater and wastewater.

Historical and Archaeological Resources

The project site includes the state-listed Coogan's Mill Dam and an archaeological site. According to the ENF, the proposed project will not impact the Dam or the archaeological site. The Department of Conservation and Recreation (DCR) Dam Safety Program has indicated that the Coogan's Mill Dam is non-jurisdictional and not subject to the dam registration program. I advise the proponent that if site alterations or modifications are planned in the future, a new determination should be requested from DCR as indicated in its comment letter.

Wastewater

The proposed project includes construction of approximately 1 mile of new sewer main, which will tie in with the system proposed for an adjacent development currently under construction. The ENF does not indicate the proposed sewer route, existing Zone Is/Interim Wellhead Protection Area (IWPA) or proposed IWPA. As further detailed in the DEP comment letter, new sewers are prohibited in the Zone I of public wells and any sewers installed within Zone II/IWPAs must be designed, constructed, and tested for maximum water-tightness. Subsequent to the receipt of the DEP comment letter, the proponent submitted additional information in a letter dated March 10, 2006. The letter indicates that the proposed project will comply with DEP requirements and includes a graphic (Figure 1) illustrating the proposed sewer route, potable water supply wells, and proposed Zone I and existing and proposed IWPA boundaries. The proponent should send a copy of its letter and the Figure 1 attachment to DEP.

Water Supply

The proposed project includes on-site wells to provide a public drinking water supply for the development. DEP has expressed concerns regarding potential impacts to Cold Spring Brook, which is a cold water fishery. If the project proceeds, it is likely that long-term monitoring of the brook will be required. The proponent should consult with DEP regarding monitoring requirements and regarding the pumping test proposal. The pumping test may need to be conducted again since it was conducted without prior DEP approval of the pumping test proposal. The ENF proposes irrigation wells with a capacity of 16,000 gpd but does not provide information to justify the need for this volume or a water conservation plan. I strongly encourage

the proponent to incorporate water-efficient landscaping measures as part of the project design and to use outdoor watering restrictions as recommended by DEP. The proponent should ensure that the potable water and irrigation wells are designed and used in a manner that avoids adverse impacts to Cold Spring Brook.

Wetlands, Water Quality and Coldwater Fisheries.

The ENF does not quantify or discuss impacts to Riverfront Area. The proponent provided additional information in its letter of March 10, 2006 indicating that new alteration of Riverfront Area is estimated at 9,000sf and that additional work is proposed within Riverfront Area that is currently paved. As further detailed in the DEP comment letter, the proponent will need to demonstrate how the project meets the performance standards for Riverfront Area under 310 CMR 10.58(4) including submittal of an Alternatives Analysis with the Notice of Intent when it is filed. The proponent expressed an interest, during the site visit, in restoration of portions of Riverfront area which are currently paved. I encourage the proponent to pursue this restoration as part of the development plan. The proponent should consult with the Sutton Conservation Commission to discuss their comments and concerns regarding potential wetlands impacts associated with proposed wells and other project components, and to discuss mitigation measures.

The Division of Fisheries and Wildlife, Natural Heritage and Endangered Species Program (NHESP) has identified Cold Spring Brook as a significant coldwater resource. As further detailed in its comment letter, coldwater resources are highly susceptible to changes in water quantity and quality, including temperature alterations. The NHESP does not anticipate any adverse impacts to state-protected rare wildlife or plants. However, the proponent will need to demonstrate that the proposed wells will not in any way diminish the ability of the brook to support coldwater fisheries.

Open Space and Habitat Protection

The proponent is proposing a Conservation Restriction (CR) on approximately 20 acres of the project site. I commend the proponent for its efforts in this regard and encourage the proponent to establish a CR to ensure permanent protection of other undeveloped portions of the project site.

Stormwater

The ENF indicates that the proposed project will be designed to comply with the DEP Stormwater Management Policy. The proponent is proposing an underground stormwater collection system located underneath parking areas and is considering using stormwater for irrigation and fire suppression. The proponent should ensure that the stormwater system is designed to avoid thermal loading to Cold Spring Brook. The proponent should ensure that mechanisms are in place for effective long-term operation and maintenance of the stormwater system.

The proponent should ensure that appropriate erosion and sedimentation controls are implemented to avoid and minimize wetlands impacts during construction. The proponent should also ensure that appropriate measures are implemented to avoid and minimize dust, noise, odor, traffic, and nuisance conditions associated with construction activities. The proponent should develop and implement a plan to recycle and reuse construction and demolition materials to the maximum extent feasible.

Sustainable Design

I encourage the proponent to consider additional Low Impact Development (LID) techniques that may be appropriate for site design and storm water management plans. For more information on LID, visit <http://www.mass.gov/envir/lid/>. Other LID resources include the national LID manual (Low Impact Development Design Strategies: An Integrated Design Approach), which can be found on the EPA website at: <http://www.epa.gov/owow/nps/lid/>.

I encourage the proponent to consider high-performance/green building and other sustainable design measures to avoid and minimize environmental impacts. Sustainable design measures, which can reduce project development and long-term operational costs, may include:

- EnergyStar Certification and Leadership in Energy and Environmental Design (LEED) Certification for Homes;
- water conservation and reuse of wastewater and stormwater;
- use of renewable energy;
- ecological landscaping;
- optimization of natural day lighting, passive solar gain, and natural cooling;
- energy-efficient Heating, Ventilation and Air Conditioning (HVAC), lighting systems, and appliances, and use of solar preheating of makeup air;
- use of building supplies and materials that are non-toxic, made from recycled materials, and made with low embodied energy;
- incorporation of an easily accessible and user-friendly recycling system infrastructure into building design; and
- implementation of a solid waste minimization and recycling plan.

I have determined that the ENF has sufficiently defined the nature and general elements of the project and that any remaining issues can be addressed during the state and local permit and review process. The project as proposed in the ENF requires no further review under MEPA.

March 24, 2006
DATE



Stephen R. Pritchard, Secretary

Comments Received:

- 2/23/06 Jack Sheehan, member of the Sutton Conservation Commission
- 2/27/06 Department of Environmental Protection, Central Regional Office
- 2/28/06 Department of Conservation and Recreation, Office of Dam Safety
- 3/02/06 Town of Sutton Planning Board
- 3/3/06 Division of Fisheries and Wildlife, Natural Heritage and Endangered Species Program
- 3/14/06 Epsilon Associates, Inc. (on behalf of the proponent)

SRP/AE/ae